

Heidi G. Goebel (10343)
Eric K. Jenkins, (10783)
GOEBEL ANDERSON PC
405 South Main Street, Suite 200
Salt Lake City, UT 84111
Telephone: 801-441-9393
HGoebel@GAPClaw.com
EJenkins@GAPClaw.com

Attorneys for Defendant Feracode, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SMASH TECHNOLOGY, LLC, a Nevada
limited liability company; and MICHAEL
ALEXANDER, an individual;

Plaintiffs,

v.

SMASH SOLUTIONS, LLC, a Delaware
limited liability company; JERRY “J.J.”
ULRICH, an individual; SMASH
INNOVATIONS, LLC, a Wyoming limited
liability company, and FERACODE, LLC, a
Utah limited liability company;

Feracodes.

**DEFENDANT FERACODE, LLC’S
DISCLOSURES OF EXPERT
WITNESSES**

Case No. 2:19-cv-00105-TC

Judge Tina Campbell

Feracode, LLC (“Feracode”), by and through counsel, hereby designates the following experts expected to provide testimony at trial pursuant to rules 702, 703, and 705 of the Federal Rules of Civil Procedure.

Testimony Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B) (subject and identity only).

Feracode intends to present expert testimony from Derk Rasmussen of Sage Forensic Accounting. Mr. Rasmussen will present evidence regarding the value of the software at issue in

this case, the value of investments made by Plaintiffs, the economic damages claimed by Plaintiffs, and any other subjects identified in Smash Solutions, LLC's expert designations, which are incorporated herein by reference. He will also give rebuttal testimony regarding the accuracy and validity of testimony provided by Plaintiffs' experts Gavin L. Harris and Pamela A. Clegg.

Testimony Pursuant to Federal Rule of Civil Procedure 26(a)(2)(C).

Feracode intends to present expert testimony from Matheus Mordorst. Mr. Mordorst is an employee of Feracode and was the software engineer for the software development project at issue in this case. He will present evidence on the subjects of coding and software development generally and on software development for the project at issue in this case specifically. He will testify regarding the development process on the project, the functionality of the software at various deadlines in the project, and whether Feracode met the development goals set forth at various stages of the development process.

Mr. Mordorst is expected to opine that Feracode met the goals and deadlines set forth for the software development project and that the software was functional and met all project specifications. He is expected to testify that Feracode followed all reasonable and expected software development industry practices and procedures while working on the project. He will base this testimony on his knowledge of, and experience in, the software development industry, his knowledge of the project, his personal observations of the project, meetings with Plaintiffs and Co-Defendants, his review of the software code, and his review of documents related to the development project.

Please note that Mr. Mordorst is a resident of Brazil. If Plaintiffs choose to depose him, special arrangements may be necessary due to travel issues and COVID-19 considerations.

DATED this 26th day of May, 2019.

GOEBEL ANDERSON PC

/s/ Eric K. Jenkins

Heidi G. Goebel

Eric K. Jenkins

Attorneys for Defendant Feracode, LLC

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2020, the foregoing **DEFENDANT FERACODE, LLC'S DISCLOSURES OF EXPERT WITNESSES** was served on the following:

Andrew G. Deiss
Corey D. Riley
DEISS LAW PC
10 West 100 South, Suite 700
Salt Lake City, UT 84101
adeiss@deisslaw.com
criley@deisslaw.com

Matthew C. Barneck
Zachary E. Peterson
Kristina H. Ruedas
RICHARDS BRANDT MILLER NELSON
Wells Fargo Center, 15th Floor
299 South Main Street
P.O. Box 2465
Salt Lake City, UT 84110-2465
Matthew-barneck@rbmn.com
Zachary-peterson@rbmn.com
Kristina-ruedas@rbmn.com

/s/ Karen Harwood